



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

West Central Regional Office

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Director

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Regional Director

STATE AIR POLLUTION CONTROL BOARD ENFORCEMENT ACTION AMENDMENT TO SPECIAL ORDER BY CONSENT ISSUED TO SOUTHERN FINISHING COMPANY, INC.

SECTION A: Purpose

This is an Amendment to a Special Order by Consent issued under the authority of Va. Code § 10.1-1309 and § 10.1-1316 by the State Air Pollution Control Board to Southern Finishing Company, Inc., for the purpose of revising certain provisions of the Special Order by Consent that was issued by the State Air Pollution Control Board to Southern Finishing Company, Inc. on August 31, 2005.

SECTION B: Basis for Amendment:

1. A Special Order by Consent was issued to Southern Finishing Company, Inc. ("SFC"), effective August 31, 2005 ("2005 Order"). The purpose of the 2005 Order was to resolve several areas of non-compliance, assess a civil charge, and allow SFC to complete a Supplemental Environmental Project ("SEP") to off-set a portion of the civil penalty.
2. The SEP provided an opportunity for SFC to reduce or eliminate hazardous air pollutants ("HAPs") from its finishes and coatings within 24 months of the effective date of the 2005 Order. Appendix B of the 2005 Order explains the SEP and provides a table that denotes the amount of civil charge due based on the reduction or elimination of HAPs from the finishes and coatings. In the event that SFC can not reduce the HAPs content of its finishes and coatings, SFC is required to pay the remainder of the civil charge.
3. The 2005 Order assessed a civil charge of \$161,870. The 2005 Order required SFC to pay \$16,187 within 30 days of the effective date of the 2005 Order in partial satisfaction of the civil charge. SFC remitted this payment to the Department as required on September 20, 2005. Liability for payment of the remainder of the civil charge was to have been satisfied by completion of the SEP described above.

Amendment to the 2005 Special Order by Consent
Southern Finishing Company, Inc.

4. SFC submitted a corrective action status report on October 14, 2005. This report was required in Appendix A of the 2005 Order. This submittal was sufficient to comply with this requirement of the 2005 Order.
5. Due to a change in its core business, SFC was unable to reduce HAPs from its finishes and coatings. In accordance with the table in Appendix B of the 2005 Order, the remainder of the civil charge due is \$145,683 and this amount was due no later than September 30, 2007, which was 25 months from the effective date of the 2005 Order. Failure to pay the civil charge by the due date constitutes a violation of the terms of the 2005 Order.
6. On November 7, 2007, SFC submitted \$24,280 to the Department in partial payment of the remaining civil charge. The remainder of the civil charge due is \$121,403.
7. Representatives of SFC and the Department met on June 25, 2008 to discuss the 2005 Order and remaining compliance issues with the 2005 Order. SFC requested a payment schedule to remit the remainder of the civil charge.
8. The Department conducted a full compliance inspection and site visit on May 1, 2008. At the time of the inspection and site visit, SFC was observed to be in compliance with the requirements of its Title V permit.

SECTION C: Agreement and Order

Therefore, the State Air Pollution Control Board and Southern Finishing Company, Inc. agree that it is appropriate to amend the 2005 Order as described below. Accordingly, the State Air Pollution Control Board, by virtue of the authority granted it in §10.1-1309 and § 10.1-1316 of the Code, orders Southern Finishing Company, Inc. and Southern Finishing Company, Inc. agrees that:

1. To remedy the violation described above and bring SFC into compliance, SFC shall perform the actions described in Appendix A of this Amendment, which supercedes Appendix B of the 2005 Order (where the Supplemental Environmental Project is explained).
2. Both the State Air Pollution Control Board and SFC understand and agree that this Amendment does not alter, modify, or amend any other provision of the Order and that unmodified provisions of the Order remain in effect by their own terms.

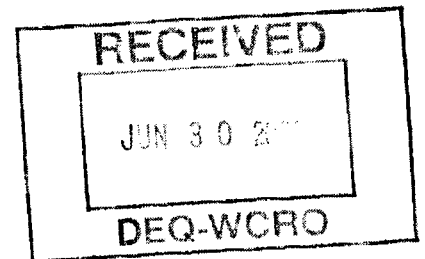
And it is so ORDERED this 1st day of JULY, 2008.

Steven A. Dietrich
Steven A. Dietrich, Regional Director
Department of Environmental Quality

Southern Finishing, Inc. voluntarily agrees to the issuance of this Amendment.

Ed Brown
Ed Brown, President
Southern Finishing Company, Inc.

6/27/08
Date



Commonwealth of Virginia

City/County of Martinsville

The foregoing document was signed and acknowledged before me this 27 ^{June} day of 2008, by Ed Brown, who is President of Southern Finishing Company, Inc., on behalf of Southern Finishing Company, Inc.

Janet Harrison
Notary Public

My commission expires: 10-18-08

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APPENDIX A - SCHEDULE OF COMPLIANCE

SFC shall pay a total of \$134,301.12, which represents the remainder of the civil charge specified in the 2005 Order, with compound interest at the rate of six percent. Payment of the civil charge shall be made in twenty-four ("24") installments of FIVE THOUSAND FIVE HUNDRED NINETY-FIVE AND EIGHTY-EIGHT/HUNDRED DOLLARS (\$5,595.88) each, due on the following schedule:

Installment Number	Amount Due	Due Date
1	\$5,595.88	August 15, 2008
2	\$5,595.88	September 15, 2008
3	\$5,595.88	October 15, 2008
4	\$5,595.88	November 15, 2008
5	\$5,595.88	December 15, 2008
6	\$5,595.88	January 15, 2009
7	\$5,595.88	February 15, 2009
8	\$5,595.88	March 15, 2009
9	\$5,595.88	April 15, 2009
10	\$5,595.88	May 15, 2009
11	\$5,595.88	June 15, 2009
12	\$5,595.88	July 15, 2009
13	\$5,595.88	August 15, 2009
14	\$5,595.88	September 15, 2009
15	\$5,595.88	October 15, 2009
16	\$5,595.88	November 15, 2009
17	\$5,595.88	December 15, 2009
18	\$5,595.88	January 15, 2010
19	\$5,595.88	February 15, 2010
20	\$5,595.88	March 15, 2010
21	\$5,595.88	April 15, 2010
22	\$5,595.88	May 15, 2010
23	\$5,595.88	June 15, 2010
24	\$5,595.88	July 15, 2010

Each payment shall be by check, certified check, money order, or cashier's check payable to "Treasurer of Virginia" and sent to:

Receipts Control
Department of Environmental Quality
Post Office Box 1104
Richmond, VA 23218

Each payment shall include SFC's Federal Identification Number and shall state that it is being tendered in payment of the civil charges assessed under this Amendment.